

**A RESOLUTION
BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 20 TO THE CENTRAL PASSENGER TERMINAL COMPLEX LEASE AGREEMENT WITH DELTA AIR LINES COVERING THE PERMANENT SURRENDER TO THE CITY OF ATLANTA OF A PORTION OF DELTA AIR LINES EXCLUSIVE LEASED PREMISES WHICH IS LOCATED ON THE APRON LEVEL OF THE NORTH TERMINAL BUILDING AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") and Northwest Airlines, Inc. ("Northwest"), were parties to an Agreement and Lease of Premises, dated March 22, 1977, and supplemental agreements and amendments thereto, (collectively the "Northwest CPTC Lease") governing Northwest's occupancy and use of facilities in the Terminal Building and Concourses of the Central Passenger Terminal Complex at Hartsfield-Jackson Atlanta International Airport ("Airport"); and

WHEREAS, the City and Delta Air Lines, Inc. ("Delta") are parties to a separate Agreement and Lease dated March 22, 1977, which has been previously amended ("Delta CPTC Lease") covering the occupancy and use by the Airline of certain facilities and premises at the Airport; and

WHEREAS, Northwest has merged with Delta and Delta is now the successor to Northwest under the Northwest CPTC Lease; and

WHEREAS, Delta desires to permanently surrender a portion of it's Exclusive Leased Premises which was formerly covered by the Northwest CPTC Lease and is located on the Apron Level of the North Terminal Building to the City, and the City is ready and willing to accept the permanent surrender of said Airline's Exclusive Leased Premises; and

WHEREAS, the City and Delta now desire to integrate the Northwest CPTC Lease into the Delta CPTC Lease and amend the Delta CPTC Lease to DELETE approximately 403 square feet of Delta's Exclusive Leased Premises on the Apron Level of the North Terminal Building; and

WHEREAS, the Atlanta City Council has previously approved the deletion of said space as Amendment No. 17 to the Northwest CPTC Lease via Resolution No. 10-R-0165, but said space should be deleted from the integrated Delta CPTC Lease as Amendment No. 20.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, that the Mayor is authorized to execute on behalf of the City of Atlanta Amendment No. 20 to the Delta CPTC Lease by which Delta shall permanently surrender to the City the aforementioned premises, with a corresponding adjustment of rentals associated with the premises.

BE IT FURTHER RESOLVED that the City Attorney is directed to prepare said Amendment No. 20 for execution by the Mayor.

BE IT FINALLY RESOLVED that said Amendment No. 20 shall not become binding upon the City of Atlanta, and the City of Atlanta shall incur no obligation or liability there under until same has been signed by the Mayor and delivered to Delta Air Lines, Inc.



402.78

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

Council Meeting Date:

Requesting Dept.:

FAC Confirmed by:

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to authorize the execution of Amendment 20 to the CPTC lease with Delta to facilitate the relinquishment of the former Northwest Airline Apron Level space in the North Terminal to the City.

2. Please provide background information regarding this legislation.

Northwest has consolidated its activities at the airport with Delta Air Lines and will no longer require its Apron Level space in the North Terminal. Consequently, it has asked the City to take back the space. However, because Northwest has now merged with Delta, the space must be treated as part of Delta's leasehold. This legislation will authorize the execution of Amendment 20 to delete the space from Delta's CPTC lease.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:** through 9/20/2010

4. Fund Account Center (Ex. Name and number):

Fund: _____ **Account:** _____ **Center:** _____

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: N/A

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.***
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.***

This Legislative Request Form Was Prepared By: Audwyn Francis

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Transportation

Chief of Staff Deadline: 04/13/10

Anticipated Committee Meeting Date(s): 04/28/10

Anticipated Full Council Date: 05/03/10

Legislative Counsel's Signature: Vivica Brown *Vivica Brown*

Commissioner Signature: *Manday*

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 20 TO THE CENTRAL PASSENGER TERMINAL COMPLEX LEASE AGREEMENT WITH DELTA AIR LINES COVERING THE PERMANENT SURRENDER TO THE CITY OF ATLANTA OF A PORTION OF DELTA AIR LINES EXCLUSIVE LEASED PREMISES WHICH IS LOCATED ON THE APRON LEVEL OF THE NORTH TERMINAL BUILDING AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 4.9.10 *DD* Reviewed by: *[Signature]*
(date) (date)

Submitted to Council: _____
(date)